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Attorneys for Mr. Alfredo Luis-Tenorio

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA  
**(HONORABLE M. JAMES LORENZ)**

UNITED STATES OF AMERICA,	)	Case No. 07CR3162-L
	)	
Plaintiff,	)	DATE: JANUARY 7, 2008
	)	TIME: 2:00 p.m.
v.	)	
	)	<u>NOTICE OF MOTIONS AND MOTIONS TO:</u>
	)	
<b>ALFREDO LUIS-TENORIO,</b>	)	(1) DISMISS COUNTS ONE THROUGH
	)	THREE THE INDICTMENT BECAUSE
Defendant.	)	THE GOVERNMENT DEPORTED
	)	EYE-WITNESSES WHO
	)	POTENTIALLY POSSESSED
	)	EXCULPATORY EVIDENCE;
	)	(2) DETAIN MATERIAL WITNESSES
	)	AND;
	)	(3) SEQUESTER MATERIAL WITNESS.

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND  
 EUGENE S. LITVINOFF, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on January 7, 2008, at 2:00 p.m., or as soon thereafter as counsel may be heard, defendant, Alfredo Luis-Tenorio, by and through his attorneys, Candis Mitchell and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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**MOTIONS**

Defendant, Alfredo Luis-Tenorio, by and through his attorneys, Candis Mitchell and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

(1) Dismiss Counts One Through Six the Indictment Because the Government Deported Eye-witnesses Who Potentially Possessed Exculpatory Evidence;

(2) Detain Material Witnesses; and

(3) Sequester Material Witnesses.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: December 12, 2007

s/ Candis Mitchell  
**CANDIS MITCHELL**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Luis-Tenorio  
Candis\_Mitchell@fd.org